

# EXHIBIT A

**BEFORE THE JUDICIAL PANEL  
ON MULTIDISTRICT LITIGATION**

**IN RE VEECO INSTRUMENTS INC. )  
PRIVATE SECURITIES LITIGATION )  
                                    )**

**MDL Docket No. \_\_\_\_\_**

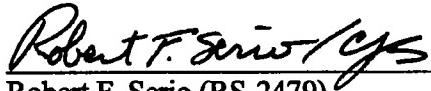
**MOTION OF VEECO INSTRUMENTS INC., EDWARD H.  
BRAUN, AND JOHN F. REIN, JR., TO TRANSFER AND  
CONSOLIDATE ACTIONS FOR PRETRIAL PROCEEDINGS**

Defendants Veeco Instruments Inc. ("Veeco"), Edward H. Braun ("Braun"), and John F. Rein, Jr. ("Rein"), hereby respectfully move the Judicial Panel on Multidistrict Litigation (the "Panel") for an Order: (a) transferring ten virtually identical putative class actions pending before two federal district courts along with any subsequently filed "tag-along" actions to a single district court, and (b) consolidating those actions for coordinated pretrial proceedings pursuant to 28 U.S.C. § 1407. A list of the pending actions is attached hereto as Schedule A. Defendants Veeco, Braun, and Rein respectfully request that the Panel transfer the pending actions to the United States District Court for the Southern District of New York.

The grounds in support of the motion are set forth in the accompanying memorandum.

Dated: New York, New York  
April 29, 2005

Respectfully submitted,



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**SCHEDULE A**

Pursuant to Rule 7.2(a)(ii) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, defendants Veeco, Braun, and Rein provide the following information on the actions that will be affected by this motion:

<u>Complete Case Name</u>	<u>District</u> <u>Where</u> <u>Pending</u>	<u>Civil</u> <u>Action No.</u>	<u>Judge</u> <u>Assigned</u>	<u>Exhibit</u>
L.I.S.T., Inc., on behalf of itself and all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Southern District of New York	05 Civ. 2189	Hon. Colleen McMahon	1
Andrew McIntosh, individually and on behalf of all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Eastern District of New York	05 Civ. 0889	Hon. Leonard D. Wexler	2

<u>Complete Case Name</u>	<u>District Where Pending</u>	<u>Civil Action No.</u>	<u>Judge Assigned</u>	<u>Exhibit</u>
Barry Linzer, on behalf of himself and all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Eastern District of New York	05 Civ. 0957	Hon. Denis R. Hurley	3
Bruce Kantor, on behalf of himself and all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Eastern District of New York	05 Civ. 0967	Hon. Leonard D. Wexler	4
George F. Walker, individually and on behalf of all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Eastern District of New York	05 Civ. 1003	Hon. Joanna Seybert	5
Philip G. Collins, on behalf of himself and all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Eastern District of New York	05 Civ. 1277	Hon. Leonard D. Wexler	6
Servaas Holthuizen, individually and on behalf of all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Eastern District of New York	05 Civ. 1337	Hon. Leonard D. Wexler	7
Roy P. Kershaw, individually and on behalf of all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Southern District of New York	05 Civ. 2929	Hon. Colleen McMahon	8
Gerald J. Vogt and Eleanor L. Vogt, on behalf of themselves and all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Eastern District of New York	05 Civ. 1430	Hon. Leonard D. Wexler	9
Timothy Joe Grove, on behalf of himself and all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Eastern District of New York	05 Civ. 1552	Hon. Leonard D. Wexler	10

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**CERTIFICATE OF SERVICE**

I hereby certify, under penalty of perjury pursuant to 28 U.S.C. § 1746, that on this 29th day of April, 2005, I caused true and correct copies of Defendants' Motion To Transfer and Consolidate For Pretrial Proceedings and Memorandum in Support thereof, and the Declaration of Robert F. Serio to be filed with the clerk of each district court in which an action is pending that will be affected by the Motion, and to be served by Federal Express on each of the following counsel:

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Dated: New York, New York  
April 29, 2005

  
J. Ross Wallin

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